

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN THE MATTER OF:**

**AAA IMPORTS INC  
Debtor(s)**

**CASE NO.: 10-04048 (BKT)**

**CHAPTER 11**

**REQUEST TO ESTABLISH BAR DATE FOR CLAIMS ARISING FROM  
REJECTION OF UNEXPIRED LEASES**

TO THE HONORABLE COURT:

COMES NOW, CCVA, INC. through the undersigned counsel, who respectfully alleges, states and prays as follows:

1. AAA IMPORTS INC. filed a voluntary petition under Chapter 11 of the Bankruptcy Code, since then Debtor continued to manage its business as Debtor in Possession.

2. The bar date for unsecured creditors to file their proof of claims elapsed on September 20<sup>th</sup>, 2010.

3. Pursuant to Section 365(d)(4), Debtor had until September 10<sup>th</sup>, 2010 to assume or reject executory contracts or unexpired leases related to commercial real properties. Said term was extended until December 9, 2010, thus, after the bar date given to unsecured creditors to file their claims.

4. On December 8<sup>th</sup>, 2010 Debtor filed a motion for the rejection of the unexpired lease agreement with the appearing party pursuant to section 365(a). On December 30<sup>th</sup>, 2010, this Honorable Court granted Debtor's request.

5. Surrendering of the premises did not occur until January 31<sup>st</sup>, 2011.

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6. Debtor's Motion for the rejection of the unexpired lease did not contain any language as to the bar date for filing claims arising from said rejection. Further, the order entered by this Honorable Court on December 30<sup>th</sup>, 2010, did not contained any language providing a bar date for the filing of claims arising from rejections.

7. Rule 3002 (c) (4) governs the time for filing proof of claims. On its pertinent part the cited rule reads:

*"(4) A claim arising from the rejection of an executory contract or unexpired lease of the debtor may be filed within such time as the court may direct."*

8. CCVA, INC., hereby request this Honorable Court under Rule 3002 (c) (4), for the establishment of a prospective bar date for the filing of claims arising from the rejection of unexpired leases.

#### **REQUEST TO SHORTEN TIME FOR OBJECTIONS**

9. Given the salient facts of this case, and that a confirmation hearing has been scheduled for March 23<sup>rd</sup>, 2011, the actual time frame makes necessary an expedite determination; therefore we have no other option than to request this Honorable Court to shorten the period of time for parties to file objections. The shortening of time for objections will not prejudice any party, including Debtor. Pursuant to Local Bankruptcy Rule 9013-1(h), the appearing party suggests the following notice: Within ten (7) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico and serve a

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copy of the same on the undersigned. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

WHEREFORE, it is respectfully requested to this Honorable Court, an Order for the establishment of a prospective bar date for the filing of claims arising from the rejection of an unexpired lease.

CERTIFICATE OF SERVICE:

**I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the US Trustee, to all participants of CM/ECF, and to all other parties not otherwise being notified by the CM/ECF system as per the master address list.**

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 15<sup>th</sup> day of February, 2011.

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